

---

WELSH STATUTORY INSTRUMENTS

---

**2004 No. 912**

**The Education Act 2002 (Commencement No. 4  
and Transitional Provisions) (Wales) Order 2004**

**Name and application**

1. This Order is called Education Act 2002 (Commencement No.4 and Transitional Provisions) (Wales) Order 2004.

2. Provisions brought into force by this Order are brought into force only in relation to Wales (except in relation to section 198).

**Interpretation**

3.—(1) In this Order “the 1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998(1).

(2) In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the Education Act 2002.

**Appointed days**

4. The day appointed for the coming into force of the provisions specified in Part 1 of the Schedule to this Order is 31st March 2004.

5. The day appointed for the coming into force of the provisions specified in Part 2 of the Schedule to this Order is 1st August 2004.

**Transitional provision — establishment or alteration of maintained nursery schools**

6. Despite the coming into force of section 154, the new paragraphs (aa) and (d) in subsection (1) of section 28 of the 1998 Act are not to apply where a local education authority in Wales have taken a decision before 31st March 2004 to establish a new maintained nursery school or to make a prescribed alteration to a maintained nursery school.

**Transitional provision — admission arrangements for nursery education**

7. Despite the coming into force of paragraph 12(1), (3) to (5) of Schedule 4 amending section 98 of the 1998 Act, the amendments made by paragraph 12(3), (4) and (5) are not to apply to a school year earlier than the 2004 to 2005 school year in relation to the admission of a child to a maintained school for nursery education.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

24th March 2004

*John Marek*  
The Deputy Presiding Officer of the National  
Assembly